

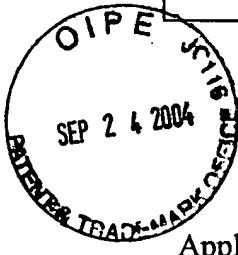
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Elaine C. Stracker
 Elaine C. Stracker



PATENT
 Attorney's Docket No.: 00042.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.
 Serial No.: 10/769,051
 Filed: 1/30/2004
 Title: DELIVERY OF PHYSIOLOGICALLY ACTIVE COMPOUNDS
 THROUGH AN INHALATION ROUTE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:


In accordance with their continuing duty of disclosure under 37 CFR §§ §1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

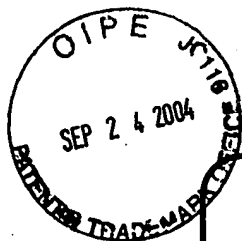
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Respectfully submitted,

Date: SEP. 24 2004


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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/769,051
	Filing Date	1/30/2004
	First Named Inventor	Joshua D. Rabinowitz
	Art Unit	Not yet known
	Examiner Name	To be assigned
Total Number of Pages in This Submission	Attorney Docket Number	00042.04CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Status Letter
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
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Form PTO-1449

Docket Number: 00042.04CON

Application Number: 10/769,051

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/30/2004

Group Art Unit: Not yet known

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hailty			
	2.	09/21/1976	3,982,095	Robinson			
	3.	10/24/1978	4,121,583	Chen			
	4.	05/27/1980	Re. 30,285	Babington			
	5.	12/01/1981	4,303,083	Burruss, Jr.			
	6.	10/02/1984	4,474,191	Steiner			
	7.	07/28/1987	4,683,231	Glassman			
	8.	09/15/1987	4,693,868	Katsuda et al.			
	9.	11/24/1987	4,708,151	Shelar			
	10.	12/22/1987	4,714,082	Banerjee et al.			
	11.	03/29/1988	4,734,560	Bowen			
	12.	04/05/1988	4,735,217	Gerth et al.			
	13.	06/28/1988	4,753,758	Miller			
	14.	07/12/1988	4,756,318	Clearman et al.			
	15.	09/20/1988	4,771,795	White et al.			
	16.	12/27/1988	4,793,365	Sensabaugh, Jr. et al.			
	17.	04/11/1989	4,819,665	Roberts et al.			
	18.	07/18/1989	4,848,374	Chard et al.			
	19.	08/01/1989	4,853,517	Bowen et al.			
	20.	08/08/1989	4,854,331	Banerjee et al.			
	21.	08/22/1989	4,858,630	Banerjee et al.			
	22.	11/21/1989	4,881,556	Clearman et al.			
	23.	01/23/1990	4,895,719	Radhakrishnun et al.			
	24.	03/06/1990	4,906,417	Gentry			
	25.	04/17/1990	4,917,119	Potter et al.			

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26.	05/08/1990	4,922,901	Brooks et al.			
27.	05/29/1990	4,928,714	Shannon			
28.	07/17/1990	4,941,483	Ridings, et al.			
29.	08/14/1990	4,947,874	Brooks et al.			
30.	08/14/1990	4,947,875	Brooks et al.			
31.	02/05/1991	4,989,619	Clearman et al.			
32.	09/17/1991	5,049,389	Radhakrishnun			
33.	03/31/1992	5,099,861	Clearman et al.			
34.	02/14/1995	5,388,574	Ingebretsen			
35.	10/10/1995	5,457,100	Daniel			
36.	08/13/1996	5,544,646	Lloyd et al.			
37.	08/12/1997	5,655,523	Hodson et al.			
38.	12/09/1997	5,694,919	Rubsamen et al.			
39.	04/07/1998	5,735,263	Rubsamen et al.			
40.	04/14/1998	5,738,865	Baichwal et al.			
41.	06/02/1998	5,758,637	Ivri et al.			
42.	06/29/1999	5,915,378	Lloyd et al.			
43.	08/10/1999	5,934,272	Lloyd et al.			
44.	09/28/1999	5,957,124	Lloyd et al.			
45.	10/05/1999	5,960,792	Lloyd et al.			
46.	11/30/1999	5,993,805	Sutton et al.			
47.	03/28/2000	6,041,777	Faithfull et al.			
48.	04/18/2000	6,051,566	Bianco			
49.	08/01/2000	6,095,134	Sievers et al.			
50.	08/01/2000	6,095,153	Kessler et al.			
51.	08/15/2000	6,102,036	Slutsky et al.			
52.	06/05/2001	6,241,969	Saidi et al.			
53.	07/03/2001	6,255,334	Sands			
54.	10/09/2001	6,299,900	Reed et al.			

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/30/2004	Group Art Unit: Not yet known

	55.	10/23/2001	6,306,431	Zhang et al.			
	56.	01/14/2003	6,506,762	Horvath et al.			
	57.	02/04/2003	6,514,482	Bartus et al.			
	58.	07/15/2003	6,591,839	Meyer et al.			
	59.	09/06/2001	US 2001/0020147	Staniforth et al.			
	60.	03/28/2002	US 2002/0037828	Wilson et al.			
	61.	05/16/2002	US 2002/0058009	Bartus et al.			
	62.	07/04/2002	US 2002/0086852	Cantor			
	63.	08/22/2002	US 2002/0112723	Schuster et al.			
	64.	11/28/2002	US 2002/0176841	Barker et al.			
	65.	01/02/2003	US 2003/0004142	Prior et al.			
	66.	02/13/2003	US2003/0032638	Kim et al.			

RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

	67.	08/04/2003	10/633,876	Hale et al.			
	68.	08/04/2003	10/633,877	Hale et al.			
	69.	12/30/2003	10/749,537	Rabinowitz et al.			
	70.	12/30/2003	10/749,539	Rabinowitz et al.			
	71.	01/27/2004	10/766,149	Rabinowitz et al.			
	72.	01/27/2004	10/766,279	Rabinowitz et al.			
	73.	01/27/2004	10/766,566	Rabinowitz et al.			
	74.	01/27/2004	10/766,574	Rabinowitz et al.			
	75.	01/27/2004	10/766,634	Rabinowitz et al.			
	76.	01/27/2004	10/766,647	Rabinowitz et al.			
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	78.	01/29/2004	10/768,205	Rabinowitz et al.			
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	80.	01/29/2004	10/768,281	Rabinowitz et al.			
	81.	01/29/2004	10/768,293	Rabinowitz et al.			

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

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Group Art Unit: Not yet known

	82.	01/30/2004	10/769,046	Rabinowitz et al.			
	83.	01/29/2004	10/769,157	Rabinowitz et al.			
	84.	01/29/2004	10/769,197	Rabinowitz et al.			
	85.	02/09/2004	10/775,583	Rabinowitz et al.			
	86.	02/09/2004	10/775,586	Rabinowitz et al.			
	87.	03/03/2004	10/791,915	Hale et al.			
	88.	03/03/2004	10/792,001	Rabinowitz et al.			
	89.	03/03/2004	10/792,012	Hale et al.			
	90.	03/03/2004	10/792,013	Rabinowitz et al.			
	91.	03/03/2004	10/792,096	Hale et al.			
	92.	03/03/2004	10/792,239	Hale et al.			
	93.	03/31/2004	10/813,721	Rabinowitz et al.			
	94.	03/31/2004	10/813,722	Rabinowitz et al.			
	95.	03/31/2004	10/814,690	Rabinowitz et al.			
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	97.	04/01/2004	10/815,527	Rabinowitz et al.			
	98.	04/01/2004	10/816,407	Rabinowitz et al.			
	99.	04/01/2004	10/816,492	Rabinowitz et al.			
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	101.	08/04/2004	10/912,462	Hale et al.			
	102.	01/23/2003	US 2003/0015196	Hodges et al.			
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	104.	11/13/2003	US 2003/0209240	Hale et al.			
	105.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
	106.	01/09/2003	US 2003/0005924	Rabinowitz et al.			
	107.	01/09/2003	US 2003/0005925	Hale et al.			
	108.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
	109.	01/09/2003	US 2003/0007934	Rabinowitz et al.			
	110.	01/16/2003	US 2003/0012737	Rabinowitz et al.			

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	111.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
	112.	1/16/2003	US 2003/0012740	Rabinowitz et al.			
	113.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
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	117.	01/23/2003	US 2003/0017116	Rabinowitz et al.			
	118.	01/23/2003	US 2003/0017117	Rabinowitz et al.			
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	125.	02/20/2003	US 2003/0035776	Hodges et al.			
	126.	05/15/2003	US 2003/0091511	Rabinowitz et al.			
	127.	05/27/2004	US 2004/010148	Hale et al.			
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	129.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
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	131.	05/20/2004	US 2004/0096402	Hodges et al.			
	132.	05/27/2004	US 2004/0099269	Hale et al.			
	133.	06/03/2004	US 2004/0105818	Hale et al.			
	134.	06/03/2004	US 2004/0105819	Hale et al.			
	135.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
	136.	07/01/2004	US 2004/0126327	Rabinowitz et al.			
	137.	07/01/2004	US 2004/0126328	Rabinowitz et al.			
	138.	07/01/2004	US 2004/0126329	Rabinowitz et al.			
	139.	07/01/2004	US 2004/0127481	Rabinowitz et al.			

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	140.	07/01/2004	US 2004/0127490	Rabinowitz et al.			
	141.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	142.	08/12/2004	US 2004/0156789	Rabinowitz et al.			
	143.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	144.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	145.	03/14/1990	EP 0 358 114	Europe				
	146.	07/03/2001	EP 1 080 720	Europe				
	147.	08/29/2001	EP 0 606 486	Europe				
	148.	06/13/1991	WO 91/07947	WIPO				
	149.	04/11/1996	WO 96/09846	WIPO				
	150.	05/09/1996	WO 96/13161	WIPO				
	151.	05/09/1996	WO 96/13290	WIPO				
	152.	05/09/1996	WO 96/13291	WIPO				
	153.	05/09/1996	WO 96/13292	WIPO				
	154.	10/03/1996	WO 96/30068	WIPO				
	155.	08/07/1997	WO 97/27804	WIPO				
	156.	05/28/1998	WO 98/22170	WIPO				
	157.	07/23/1998	WO 98/31346	WIPO				
	158.	07/23/1998	WO 98/31346	WIPO				
	159.	08/27/1998	WO 98/36651	WIPO				
	160.	09/03/1998	WO 98/37896	WIPO				
	161.	04/08/1999	WO 99/16419	WIPO				
	162.	12/16/1999	WO 99/64094	WIPO				
	163.	01/06/2000	WO 00/00176	WIPO				

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	164.	01/06/2000	WO 00/00215	WIPO			
	165.	05/18/2000	WO 00/27363	WIPO			
	166.	05/25/2000	WO 00/29053	WIPO			
	167.	08/17/2000	WO 00/47203	WIPO			
	168.	11/02/2000	WO 00/64940	WIPO			
	169.	11/09/2000	WO 00/66084	WIPO			
	170.	11/09/2000	WO 00/66206	WIPO			
	171.	12/21/2000	WO 00/76673	WIPO			
	172.	01/25/2001	WO 01/05459	WIPO			
	173.	03/01/2001	WO 01/13957	WIPO			
	174.	06/14/2001	WO 01/41732	WIPO			
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(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	176.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	177.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	178.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	179.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	180.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.
	181.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	182.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/30/2004	Group Art Unit: Not yet known

183.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
184.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry & Behavior</i> . 36(1):1-7.
185.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 μm ," <i>J. Aerosol Sci.</i> 17(5):811-822.
186.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.
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Form PTO-1449

Docket Number: 00042.04CON

Application Number: 10/769,051

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Applicant: Joshua D. RABINOWITZ et al.

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